

REMARKS

Claims 1-10, 12-20 and 23-34 are pending in this application. Reconsideration and allowance are respectfully requested.

Substance of Interview

Applicants would like to thank the Examiner for meeting with the undersigned Mr. Hayden on August 25, 2005, and for allowing Ms. R. Tollervy to observe the interview. Mr. Hayden explained how the claimed invention was distinguishable from the cited art because the claimed polymeric particle has a static electric charge imposed thereon, while the particle is substantially dry, and can also have additional surface charges created thereon by dis-association of polar groups on the surface of the particle when the particles were immersed in water. In contrast, the cited art described polymeric particles having surfactants/dispersants thereon which, when placed in water, have ionic groups which partially dis-associate to form an electric charge associated with the surface of the particle. Therefore, Mr. Hayden argued that the claimed particles had a static electrical charge independent from ionizable species, and also optionally could additionally include an electric charge caused by dis-association of polar groups on the surface of the polymer, while the cited art particles only had an electric charge caused by dis-association of polar groups on the surface of the polymer. While the Examiner was receptive, he stated he did not see how an analysis would show that the particles in the prior art were different than the instantly cited particles, unless the claims were amended to affirmatively recite the absence of dispersants/surfactants on the claimed polymer particle. The Examiner and Mr. Hayden did not reach agreement on this issue. Mr. Hayden then directed the conversation toward the method claims 28 and 29 which clearly recite the generation of a charge before putting the particles in water, and asked in particular about the electrification process then used to impose the static electric charge, as recited in claim 32. The Examiner noted that 1) the methods of imparting a static electric charge recited in claim 32 were not found in the prior art, but 2) claim 32 depended from a composition claim, so 3) the Examiner was treating claim 32 as a product by process claim and discounting the process steps in claim 32. Applicants and the Examiner agreed that claim 32 reciting steps in a method should depend from the pending method claims, and Applicants' representative stated he would submit such claims. **The Examiner agreed that this is not new matter, as the limitations of pending claim 32 define**

the electrification process. A short discussion then ensued regarding 35 USC 112 issues, and the interview ended.

Amendments to Claims

Independent claims 28 and 29 were amended to recite the limitation of dependent claim 32. **The Examiner is reminded that this is not new matter, as the limitations of pending claim 32 define the electrification process.** Additionally, the pending composition claims were amended to depend from either method claim 28 or method claim 29, as appropriate. Claim 32 was amended to remove one of the three listed methods, and claim 34 was canceled.

Prior Art Rejections Traversed

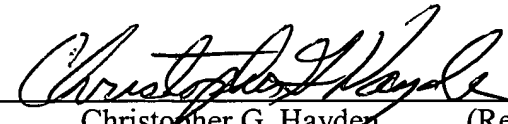
Rejections toward claim 32 for a typographical error and to claim 34 for new matter and for indefiniteness are moot as these claims have been amended and canceled, respectively. Claims 14 and 25 stand rejected under 35 USC 112 as being indefinite for not defining the phrase “ionic species.” The Examiner is directed to paragraph [0045] stating the ionic species are present in sufficient amount to “stabilize the zeta potential of the particles” and include polyvalent metal ions, specifically mentioning zinc salts. Paragraph [0053] discloses a number of ionic pH-adjusting compounds including metal hydroxides, ammonium/amine hydroxides, and strong acids, each of which provide ions to the composition. Paragraph [0057] describes others, including sodium, potassium, ammonium, and other cationic sulfates and phosphates. As Applicant believes the term “ionic species” is defined adequately in the specification for one skilled in the art, Applicants respectfully request reconsideration of this rejection.

The remaining claims are objected to and rejected as noted in the first Office Action. Applicants contend all the rejections are moot after making the claims depend from independent claims 28 and 29, as amended. The Office Action on page 4 states claims claims 28 and 29 are rejected over Ma. However, with the incorporation of the methodology recited in existing claim 32, this rejection is now moot. Applicants respectfully request reconsideration and allowance of the pending claims.

No fee is believed necessary relating to this response – however, if any additional fees are deemed necessary for any reason, the Office is authorized to charge them to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310.

Respectfully submitted,

Date August 29, 2005


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